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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,153	11/24/2003	Wen-Tien Hung	JCLA12509	5550
23900	7590	08/19/2005	EXAMINER	
J C PATENTS, INC. 4 VENTURE, SUITE 250 IRVINE, CA 92618			ROSASCO, STEPHEN D	
			ART UNIT	PAPER NUMBER

1756

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,153

Applicant(s)

HUNG ET AL.

Examiner

Stephen Rosasco

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

Detailed Action

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chapple-Sokol et al. (5,465,859) or Lee (5,932,378) or Capodiecì (6,037,082) in view of Watanabe (6,902,852).

The claimed invention is directed to a photomask, comprising: a substrate, the substrate comprising a dense pattern region and a loose pattern region, wherein the dense pattern region and the loose pattern region respectively comprise a plurality of shielding regions and a plurality of transparent regions, wherein each transparent region is disposed between two adjacent shielding regions and has one depression, and wherein the depression and the shielding region share a same edge; and a plurality of shielding patterns disposed on the shielding regions of the substrate, wherein a sidewall of the depression is aligned with a sidewall of the shielding pattern.

And wherein a cross-section of the depression is in a rectangle shape, with a distance between a bottom surface of the depression and a surface of the substrate allows a generation of a 180-degree phase change.

And a shielding pattern is made from a slightly translucent material with a transmittance rate of 5-10%, which includes molybdenum silicide.

The teachings of the cited art differ from those of the applicant in that the applicant teaches that there are dense and isolated regions.

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Watanabe teaches a half tone mask, comprising: a half tone film formed on a transparent substrate for shifting phase of transmission light, in which a thickness of the half tone film in a dense pattern area where optical proximity effect occurs differs from that in an isolated pattern area where the optical proximity effect does not occur, the thickness of the half tone film in the isolated pattern area being adjusted so that difference in size of a resist does not occur between the dense pattern area and the isolated pattern area due to the optical proximity effect, thus preventing the difference in size of the resist between the dense pattern area and the isolated pattern area, even when providing high definition patterns which causes the optical proximity effect.

It would have been obvious to one having ordinary skill in the art to take the teachings of the cited art and combine them with the teachings of Watanabe in order to make the claimed invention because the methods for treating mask pattern designs with dense and isolated areas is well known and it would have been obvious to incorporate the teachings of Watanabe.

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Stephen Rosasco whose telephone number is (571) 272-1389. The Examiner can normally be reached Monday-Friday, from 8:00 AM to 4:30 PM. The Examiner's supervisor, Mark Huff, can be reached on (571) 272-1385. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



S. Rosasco
Primary Examiner
Art Unit 1756

S. Rosasco
08/15/05